

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT
 BY: ☒ COMPLAINT ☐ INFORMATION ☐ INDICTMENT
☐ SUPERSEDING
OFFENSE CHARGED

18 USC 2252(a)(2) - Receipt/Distribution of Child Pornography

☐ Petty

18 USC 2252(a)(4)(B) and (b)(2) - Possession of Child Pornography

☐ Minor☐ Misdemeanor☒ Felony
 PENALTY: 20 years max. imprisonment; Minimum 5 years imprisonment
 250,000.00 fine; Supervised release: 5 years minimum, life maximum; Special Assessment: \$17,000.00; Restitution; Forfeiture

20 years imprisonment; \$250,000 fine; Supervised release: 5 years minimum, life maximum; Special assessment of \$17,000.

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

OAKLAND DIVISION

DEFENDANT - U.S.

Luis Brizuela-Navas

DISTRICT COURT NUMBER

4:25-mj-70473 MAG

FILED

Apr 23 2025

 Mark B. Busby
 CLERK, U.S. DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 OAKLAND
PROCEEDING

Name of Complainant Agency, or Person (& Title, if any)

HSI

☐ person is awaiting trial in another Federal or State Court, give name of court

☐ this person/proceeding is transferred from another district per (circle one) FRCrP 20, 21, or 40. Show District

☐ this is a reprosecution of charges previously dismissed which were dismissed on motion of:

☐ U.S. ATTORNEY ☐ DEFENSE

SHOW DOCKET NO.

☐ this prosecution relates to a pending case involving this same defendant

MAGISTRATE CASE NO.

☐ prior proceedings or appearance(s) before U.S. Magistrate regarding this defendant were recorded under

 Name and Office of Person
 Furnishing Information on this form Patrick D. Robbins

☒ U.S. Attorney ☐ Other U.S. Agency

 Name of Assistant U.S.
 Attorney (if assigned) Zachary M. Glimcher
DEFENDANT**IS NOT IN CUSTODY**

Has not been arrested, pending outcome this proceeding.

 1) ☐ If not detained give date any prior summons was served on above charges
2) ☐ Is a Fugitive3) ☐ Is on Bail or Release from (show District)**IS IN CUSTODY**4) ☒ On this charge5) ☐ On another conviction
☐ Federal ☒ State
6) ☐ Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

 Has detainer been filed? ☐ Yes ☐ No

If "Yes" give date filed

DATE OF ARREST

Month/Day/Year

Or... if Arresting Agency & Warrant were not

DATE TRANSFERRED TO U.S. CUSTODY

Month/Day/Year

☐ This report amends AO 257 previously submitted
ADDITIONAL INFORMATION OR COMMENTS**PROCESS:**
☐ SUMMONS ☐ NO PROCESS* ☒ WARRANT

Bail Amount: _____

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address:

* Where defendant previously apprehended on complaint, no new summons or warrant needed, since Magistrate has scheduled arraignment

Date/Time: _____ Before Judge: _____

Comments:

UNITED STATES DISTRICT COURT

for the

Northern District of California

FILED

Apr 23 2025

Mark B. Busby
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLANDUnited States of America
v.

Case No. 4:25-mj-70473 MAG

Luis Brizuela-Navas

*Defendant(s)***CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of August 13, 2024 in the county of Contra Costa in the
Northern District of California, the defendant(s) violated:*Code Section**Offense Description*

18 U.S.C. SECTION 2252(a)(2)

Receipt/Distribution of Child Pornography

18 U.S.C. SECTIONs 2252(a)(4)(B)
and (b)(2)

Possession of Child Pornography

Maximum Penalties: Please see attached penalty sheet

This criminal complaint is based on these facts:

See attached affidavit of HSI TFO Darryl Holcombe

☒ Continued on the attached sheet.Approved as to form /s/ Zachary Glimcher
SAUSA Zachary M. Glimcher/s/ Darryl Holcombe*Complainant's signature*

Darryl Holcombe, HSI TFO

Printed name and title

Sworn to before me by telephone.

Date: 04/23/2025*Judge's signature*City and state: Oakland, CA

Donna M. Ryu, Chief Magistrate Judge

Printed name and title

18 U.S.C. § 2252(a)(2) - Receipt or Distribution of Child Pornography

20 years' max. imprisonment; Minimum 5 years imprisonment
\$250,000 fine
Supervised release: 5 years minimum, life maximum
Special Assessment: \$17,000.00
Restitution
Forfeiture

18 U.S.C. §§ 2252(a)(4)(B) and (b)(2) - Possession of Child Pornography

20 years maximum imprisonment
\$250,000 fine
Supervised release: 5 years minimum, life maximum
Special assessment of \$17,000
Restitution
Forfeiture

AFFIDAVIT IN SUPPORT OF A CRIMINAL COMPLAINT AND ARREST WARRANT

I, Darryl J. Holcombe, a Task Force Officer with Homeland Security Investigations do swear and affirm as follows:

INTRODUCTION AND AGENT EXPERIENCE

1. This affidavit is made in support of an application under Rule 4 of the Federal Rules of Criminal Procedure for a Criminal Complaint and Arrest Warrant authorizing the arrest of Luis Brizuela-Navas (NAVAS) for one count of Receipt or Distribution of Child Pornography, in violation of 18 U.S.C. § 2252(a)(2), and one count of Possession of Child Pornography, in violation of 18 U.S.C. §§ 2252(a)(4)(B) and (b)(2), on or about August 24, 2024, in the Northern District of California.

2. The statements contained in this affidavit are based on my experience and training as a Senior Inspector with the Contra Costa County District Attorney's Office and Task Force Officer with Homeland Security Investigations, information I have gathered in my investigation, my personal observations, and the information provided to me by other law enforcement officers. I believe these sources to be reliable. Because this affidavit is being submitted for the limited purpose of this criminal complaint and securing an arrest warrant, I have not included each and every fact known to me concerning this investigation. I have set forth only the facts that I believe are necessary to establish probable cause that on or about August 24, 2024, in the Northern District of California, NAVAS violated 18 U.S.C. §§ 2252(a)(4)(B) and (b)(2).

3. I am a Senior Inspector with the Contra Costa County District Attorney's Office, assigned to the Sexual Assault Unit. I have been assigned to the Sexual Assault Unit since approximately 2015. I also serve as a Task Force Officer with the United States Department of Homeland Security, Homeland Security Investigations. I have been employed with the Contra Costa County District Attorney's Office since November 2011. Prior to that, I was a police

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[UNDER SEAL]

officer with the City of Concord for eleven years. I attended a basic police academy in 1999 at the Los Medanos Police Academy.

4. I am also currently assigned to the Internet Crimes against Children Task Force. I monitor peer-to-peer and file sharing programs and investigate individuals downloading and sharing child pornography and committing other sexual crimes against children. I have participated in over 300 such investigations. Through my work in these investigations, as well as my discussions with other experienced agents, I have experience in estimating the approximate ages of individuals (including those under the age of 18) depicted in photographs and videos. I have received advanced training in computer crimes and peer-to-peer file sharing programs. I have also received training in child pornography and child exploitation offenses, and through both this training and my prior work, have had the opportunity to observe and review examples of child pornography (as defined in 18 U.S.C. § 2256). I have personally participated in the execution of numerous search warrants, including the search, seizure, and analysis of data stored within a computer and other electronic media. I have received various training in investigating and enforcing federal child pornography and exploitation laws in which computers are used as the means for receiving, transmitting, distributing, storing, and possessing images of minors engaged in sexually explicit conduct. As a Senior Inspector with the District Attorney's Office, I have also participated in criminal investigations relating to identity theft, counterfeit identification, counterfeit currency, counterfeit checks, bank fraud, wire fraud, access device fraud, and electronic crimes involving computers.

5. As a state law enforcement agent, I am authorized to investigate violations of state law and to execute warrants issued under the authority of the State of California. I am also cross designated as a federal officer with Homeland Security Investigations. I am authorized to make probable cause arrests without a warrant for violations of United States law. I am authorized to serve search and arrest warrants issued under the authority of the United States.

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[UNDER SEAL]

Therefore, I am an investigator and law enforcement officer of the United States within the meaning of 18 U.S.C. § 2510(7) and I am empowered by law to conduct investigations, to execute search warrants, and to make arrests for offenses of Federal law, including for child pornography offenses.

APPLICABLE LAW

6. 18 U.S.C §2252(a)(2) provides that any person who knowingly receives, or distributes, any visual depiction using any means or facility of interstate or foreign commerce or that has been mailed, or has been shipped or transported in or affecting interstate or foreign commerce, or which contains materials which have been mailed or so shipped or transported, by any means including by computer, or knowingly reproduces any visual depiction for distribution using any means or facility of interstate or foreign commerce or in or affecting interstate or foreign commerce or through the mails if the producing of such visual depiction involves the use of a minor engaging in sexually explicit conduct; and such visual depiction is of such conduct.

7. Title 18 U.S.C. §§ 2252(a)(4)(B) and (b)(2) provides that any person who knowingly possesses, or knowingly accesses with intent to view, 1 or more books, magazines, periodicals, films, video tapes, or other matter which contain any visual depiction that has been mailed, or has been shipped or transported using any means or facility of interstate or foreign commerce or in or affecting interstate or foreign commerce, or which was produced using materials which have been mailed or so shipped or transported, by any means including by computer, if the producing of such visual depiction involves the use of a minor engaging in sexually explicit conduct; and such visual depiction is of such conduct.

FACTS IN SUPPORT OF PROBABLE CAUSE

8. Luis Brizuela-Navas is a 25-year-old resident of San Pablo, California, located in the Northern District of California.

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[UNDER SEAL]

9. On or about July 28, 2024, CyberTip # 197011814 was submitted to the National Center for Missing and Exploited Children (NCMEC) by Discord.¹ The CyberTip report indicated that Discord was reporting a user with the following identifiers:

Username: foreign_papi

Email Address: juanpepe510@gmail.com (Verified)

Phone Number: +1510***6982 (Verified)

10. Discord also indicated they were submitting six (6) video files of suspected child sexual abuse material (CSAM) to NCMEC, which had been distributed to other Discord users. The report indicated that Discord employees had contemporaneously reviewed all of the files of suspected CSAM before submitting the CyberTip. I reviewed the following files which were submitted by Discord and are described as follows:

File Name: 152.mov

This video is 52 seconds long and depicts a pre-pubescent girl, nude from the waist down masturbating. Based on my training and experience, I believe there is probable cause to conclude this image depicts a minor engaged in “sexually explicit conduct.”

File Name: 161.mov

This video is 40 seconds long and depicts an adult male touching a pre-pubescent girl, lifting up her shirt and then touching her vagina with his bare hands. Based

¹ From my training and experience, I understand that Discord is an online service for instant messaging, chat, voice conferencing and video conferencing, which was originally created for computer gamers, but is now increasingly used for other purposes. The Discord application was developed for parallel use while playing computer games, primarily to exchange ideas via chat. Discord also offers the option of making voice and video calls, with the additional option of screen sharing of the entire screen or individual windows. Additionally, Discord allows users to upload images into the Discord windows.

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[UNDER SEAL]

on my training and experience, I believe there is probable cause to conclude this image depicts a minor engaged in “sexually explicit conduct

11. On or about August 5, 2024, the Honorable Edward Weil, Contra Costa County Superior Court Judge, authorized a state search warrant to Discord and AT&T for the account associated with the Discord username “foreign_papi” and the AT&T phone number (510) ***-6982.

12. On or about August 14, 2024, AT&T responded to the warrant and provided the following subscriber information:

Account # 304097501

Account Name: Carlos Brizuela

Billing Address: **** Kelly Ave San Pablo, California 94806-2820

Account Creation: 2020-03-13

13. On or about August 26, 2024, Discord responded to the search warrant. I reviewed the subscriber information. The account was created on April 26, 2020. The Discord user added phone number 510-***-6982 to the account. IP address 68.91.159.163 was used one hundred (100) times between March 1, 2024, and July 28, 2024, to access the account. IP address 68.91.159.163 geolocates to the vicinity of San Pablo, California.

14. I located and reviewed multiple videos appearing to depict CSAM within the account. Below are descriptions of a few of those videos. Based on my training and experience, the videos described below depict minors engaged in sexually explicit conduct.

File Name: VID 20240728 041118 975.mov

Description: This video is 27 seconds long and depicts a pre-pubescent girl being sexually abused by an adult male who is engaging in sexual intercourse with her.

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[UNDER SEAL]

File Name: 267085305194745938 114.mov

Description: This video is 29 seconds long and depicts an adult female masturbating a nude pre-pubescent aged girl in the shower

15. On or about August 28, 2024, the Honorable Barbara Hinton, Contra Costa County Superior Court Judge, issued a search warrant to Google for records associated with G-mail account “juanpepe510@gmail.com,” which had been used to help create the “foreign_papi” Discord account mentioned above.

16. On or about September 1, 2024, Google responded to the search warrant. I reviewed the subscriber information for the account and found a recovery phone number and email address² for the account:

Account Recovery

Contact e-mail: juanpepe510@gmail.com

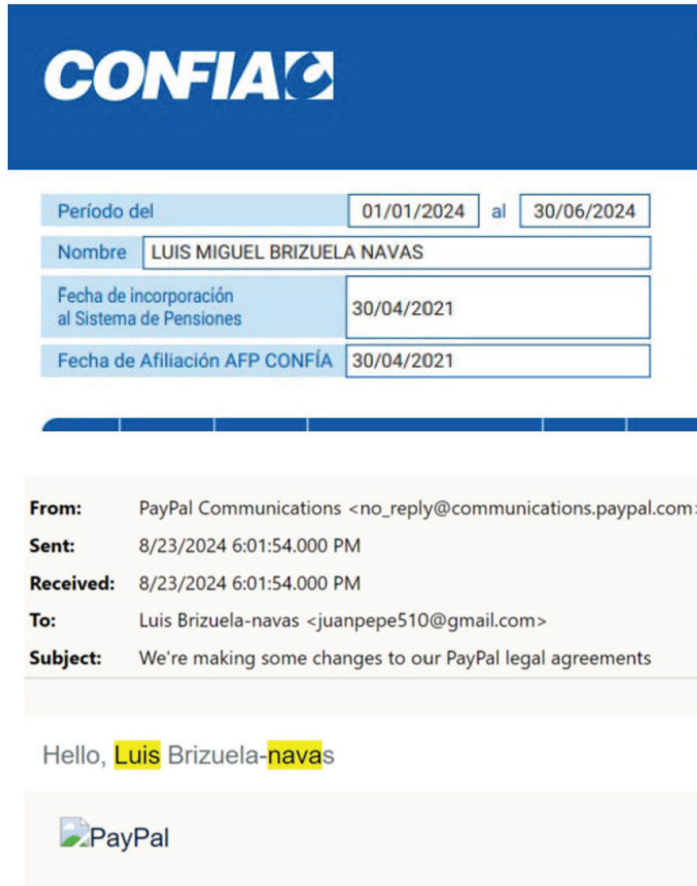
Recovery e-mail: foreignpapi510@gmail.com

Recovery SMS: +510***1401 (US)

Phone Numbers: User Phone Numbers +510***1401 (US)

17. TFO Holcombe reviewed emails within the juanpepe510@gmail.com account and found references to Luis BRIZUELA-NAVAS.

² It should be noted that the recovery email address is similar to the username (foreign_papi) of the Discord account reported to NCMEC.




CONFIA

Período del	01/01/2024	al	30/06/2024
Nombre	LUIS MIGUEL BRIZUELA NAVAS		
Fecha de incorporación al Sistema de Pensiones	30/04/2021		
Fecha de Afiliación AFP CONFÍA	30/04/2021		

From: PayPal Communications <no_reply@communications.paypal.com>
Sent: 8/23/2024 6:01:54.000 PM
Received: 8/23/2024 6:01:54.000 PM
To: Luis Brizuela-navas <juanpepe510@gmail.com>
Subject: We're making some changes to our PayPal legal agreements

Hello, **Luis** Brizuela-**navas**

 PayPal

18. I located an email confirming the shipment of items to the aforementioned address at **** Kelley Avenue with the phone number 510-***-1401 listed as the phone number of the buyer, NAVAS.

19. I conducted records checks on the address on Kelley Avenue San Pablo, California and found a criminal case from 2015 against NAVAS. NAVAS was convicted in juvenile court of multiple violations of California Penal Code section 269(a), Aggravated Sexual Abuse of a Child, and California Penal Code section 288(b), Lewd Acts on a Child. He was ordered to register as a sex offender. At the time of these offenses, NAVAS was living at the same address on Kelley Avenue.

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 [UNDER SEAL]

20. I conducted additional records checks on NAVAS and found he has not registered as a sex offender and is listed as being out of compliance.

21. On or about September 3, 2024, the Honorable Edward Weil, Superior Court Judge for Contra Costa County, issued a state search warrant for **** Kelley Avenue and the person of NAVAS.

22. On or about September 4, 2024, at 7:00 a.m., members of the Internet Crimes Against Children (ICAC) task force executed the search warrant at **** Kelley Avenue. NAVAS was interviewed by law enforcement during the search of the residence. In a post-Miranda interview, NAVAS stated he had a gold iPhone, but did not know the model. NAVAS's iPhone and iPad were ultimately located in the closet of a bedroom determined to be his.

23. NAVAS was arrested and booked at the Martinez Detention Facility. His identity was confirmed by fingerprints. Law enforcement seized the Apple iPhone from NAVAS'S residence pursuant to the September 23, 2024 search warrant and turned them over to the United States Secret Service for extraction. An initial preview of BRIZUELA-NAVAS's iPhone revealed CSAM files stored in his hidden folder.

24. On or about October 15, 2024, the Honorable Kandis A. Westmore, United States Magistrate Judge, issued a federal search warrant for the Apple iPhone seized from NAVAS.

25. I reviewed the forensic report of the phone prepared a forensic examiner from the United States Secret Service. The Apple ID for the device is juanpepe510@gmail.com, which is the same email address used to create the "foreign_papi" Discord account referenced in the NCMEC CyberTip. TFO Holcombe also located images of BRIZUELA-NAVAS and text messages in which others refer to him as Luis on the phone.

26. TFO Holcombe located approximately one thousand (1,000) videos of suspected CSAM. At least ten (10) of the videos depict a minor under the age of twelve (12) years old engaged in sexual conduct. Below are descriptions of two of the files I reviewed.

File Name: IMG_0511.MP4

Description: This video is 8 minutes and 59 seconds and depicts a pre-pubescent girl engaged in oral sex and sexual intercourse with an adult male. Based on my training and experience, I believe this video depicts a minor engaged in “sexually explicit conduct.”

File Name: EF29D725-93C3-430A-B145-EF8913960494.mp4

Description: This video is 1 minute and 42 seconds long and depicts an adult female performing oral sex on a pre-pubescent boy. Based on my training and experience, I believe this video depicts a minor engaged in “sexually explicit conduct.”

27. I located a Signal³ message on the iPhone sent on or about August 13, 2024, in which NAVAS distributed a twenty-five (25) second video (File Name IMG_9704.mp4) to other Signal users. The video depicts a pre-pubescent girl performing oral sex on an adult male at the 11 second mark. The message read “Mas de la Morrita.” Based on my training and experience, the video depicts a minor engaged in sexually explicit conduct.

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³ It is my understanding that Signal is an open-source, encrypted messaging service for instant messaging, voice calls, and video calls. The instant messaging function includes sending text, voice notes, images, videos, and other files. Communication may be one-to-one between users or may involve group messaging.

CONCLUSION

28. Based on the aforementioned facts and information, there is probable cause to believe that on or about August 13, 2024, in the Northern District of California, NAVAS knowingly possessed a visual depiction of a minor engaged in sexually explicit conduct, in violation of 18 U.S.C. §§ 2252(a)(4)(B) and (b)(2).

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

/s/ Darryl Holcombe
DARRYL J. HOLCOMBE
Task Force Officer, Homeland Security
Investigations

Sworn to before me over the telephone and signed by me pursuant to Fed.R.Crim.P 4.1 on this 23rd day of April 2025



HON. DONNA M. RYU
Chief Magistrate Judge
Northern District of California

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[UNDER SEAL]